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**FAX**

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To:	Exam. Anthony Weier	From:	William J. Mason
Company:	USPTO AU 1761	Time:	
Phone:		Date:	February 26, 2004
Fax:	703-872-9306	Pages:	6 (including cover page)

RE: S/N 10/066,250 SOYBEAN OIL PROCESS

Pursuant to the attached Notice of Non-Compliant Amendment, applicant is resubmitting the entire "Amendments to the Claims" section of the Amendment filed by applicant on January 29, 2004. The attached "Amendments to the Claims" section amends Claim 1 to change "amended" to "currently amended".

This facsimile is being sent to the Examiner pursuant to instructions by Veronica Augburn (LIE) in a telephone conference on February 26, 2004.



## UNITED STATES PATENT AND TRADEMARK OFFICE

10/066250

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
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ALEXANDRIA, VA 22313-1450  
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Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 1/29/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: in claim 1 (amended) is not a proper status identifier however (currently amended) is.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Veronica Ayuburn  
Legal Instruments Examiner (LIE)

571 272-0988  
Telephone No.

Rev. 10/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**


Honorable Director of Patents and Trademarks  
Alexandria, Va

Sir:

**CERTIFICATE OF TRANSMISSION**

Date of Deposit: February 26, 2004

I hereby certify that this paper, which is a Response to an Office Action for the  
SOYBEAN OIL PROCESS S/N 10/066,250 is being sent via facsimile (703) 872-9306 to the  
United States Patent and Trademark Office on the date indicated above.



William J. Mason  
Registration No. 22,948

Our File No.: 5483-003A